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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,191	06/04/2001	Shell S. Simpson	10007667-1	5616

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

TUCKER, WESLEY J

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 03/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/874,191

Applicant(s)

SIMPSON ET AL.

Examiner

Wes Tucker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely-filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 7,8 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim\* for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, and 11-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,115,739 to Ogawa et al.

With regard to claim 1, Ogawa discloses a system for transferring scanned imaging data from a scanning device to a personal imaging repository (abstract).

Ogawa further discloses a scanning device capable of obtaining information from items for scanning imaging data (Fig. 2, element 12, column 2, lines 28-31).

Ogawa further discloses a personal imaging repository associated with a particular user for storing imaging data that is to be accessed by requested web services (Fig. 2, element 11, column 2, lines 32-35).

Ogawa further discloses an item for storing user information relating to said personal imaging repository (column 2, lines 31-33). Here the item is interpreted as an input means for inputting identification information on a user.

Ogawa further discloses a device firmware for storing scanned imaging data from the scanning device into said personal imaging repository; wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet (column 2, lines 36-42). Here firmware is

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interpreted as a memory means in which the relationships of correspondence between identification information on users and the directories associated with the users are stored.

With regard to claim 2, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository stores the imaging data in a plurality of file formats (column 9, lines 12-17). Here Ogawa describes a compression/expansion unit within the scanner for preserving the image data usually in the compressed format, but it is apparent that different formats can be used.

With regard to claim 3, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository comprises an imaging data store assigned to the user for storing imaging data (column 2, lines 30-35). Here Ogawa discloses directories or image stores associated with users.

With regard to claim 4, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository comprises a plurality of imaging data stores for storing imaging data (column 2, lines 30-35). Here Ogawa discloses that multiple users have their own directories.

With regard to claim 5, Ogawa discloses the system as defined in claim 4 wherein one of said plurality of imaging data store is assigned to the user for storing imaging data (column 2, lines 30-35). Each user has his/her own directory for storing images.

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With regard to claim 6, Ogawa discloses the system as defined in claim 4 wherein one of said plurality of imaging data store is assigned to a web service for storing imaging data provided by the web service (column 2, lines 55-65). The scanner is connected to a network and through that network is connected to a file server for image storage.

With regard to claim 7, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository comprises a composition store for storing imaging compositions of the imaging data that are serviced as a single unit (column 2, lines 35-45). Here image data is stored in a file server according to the user information.

With regard to claim 8, Ogawa discloses the system as defined in claim 7 wherein said imaging composition comprises a link reference for each imaging data that is serviced as a single unit (Figs 4 and 5). Here the image file storage system is disclosed. The image files all have indexes and are considered to operate as link references.

With regard to claim 9, Ogawa discloses the system as defined in claim 1 wherein said personal imaging repository is located on another data storage device that is linked to said imaging client (column 2, lines 55-65).

With regard to claim 10, Ogawa discloses the system as defined in claim 1, wherein said item is a smart card. Smart cards are well known in the computer arts.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use a smart card to store user information. Examiner takes official notice.

With regard to claim 11, the discussion of claim 1 applies. The only difference in between claims 1 and 11 is a scanning device with user information relating to said personal imaging repository. Ogawa discloses scanners with unique user names for associating user names with specific directories (column 4, lines 42-55).

With regard to claim 12, Ogawa discloses a method for transferring scanned imaging data from a scanning device to a personal imaging repository having an imaging data store for storing the imaging data and a composition store for storing imaging compositions having links to the imaging data serviced as a single unit, said method comprising:

Ogawa further discloses receiving the scanned imaging data (Fig. 2, element 12, column 2, lines 28-31).

Ogawa further discloses obtaining user information relating to the personal imaging repository (column 2, lines 30-35).

Connecting with the imaging store of the personal imaging repository indicated from the user information (column 2, lines 34-42).

With regard to claim 13, Ogawa discloses the method according to claim 12 further comprising the steps of: obtaining a link reference of the scanned image data stored in the personal imaging data store (Figs 4 and 5). Here the image file storage system is disclosed. The image files all have indexes and are considered to operate as link references.

Ogawa further discloses disconnecting from the imaging data store by the scanning device (column 2, lines 45-54). Here the file server is disconnected from the scanner.

With regard to claim 14, Ogawa discloses the method of claim 12 wherein said step of connecting with the imaging data store further comprising the steps of:

determining whether the connection with the imaging data store is successful (column 2, lines 50-54);

returning an error message to the user when the connection is not successful (column 2, lines 50-54); and,

converting the scanned imaging data into a predefined format (column 2, lines 65-68 and Fig. 11). Here the image is stored in .JBG and .TIF formats. The image can be stored in one standard format and then converted to another (column 9, lines 45-60).

With regard to claim 15, Ogawa discloses the method according to claim 14 wherein said predefined format is any from the group consisting of: JPEG, GIF, PNGF, TIF, PDF, and Microsoft Windows bitmap format (Fig. 11). Here two image file formats are given as IMAGE.TIF and IMAGE.JBG.

With regard to claim 16, Ogawa discloses the method according to claim 12 further comprising the step of obtaining a link reference of the scanned imaging data stored in the personal imaging data store (Figs. 4 and 5). All of the images in the image database have indexes interpreted as link references.

Ogawa further discloses connecting with the composition store of the personal imaging repository indicated from the user information (column 2, lines 30-40).

Ogawa further discloses creating an imaging composition having a link reference to the scanned imaging data stored in the personal imaging data store (column 2, lines 30-40).

Ogawa further discloses saving the imaging composition to the composition store (column 2, lines 30-40).

With regard to claim 17, Ogawa discloses the method according to claim 16 further comprising the steps of: setting the imaging composition as a selected composition available for service in the composition store (column 2, lines 30-40); and disconnecting from the composition store of the personal imaging repository (column 2, lines 45-54).

With regard to claim 18, Ogawa discloses the method according to claim 16 wherein prior to the step of creating an imaging composition further comprising the steps of: determining whether the connection with the composition store is successful; and, returning an error message to the user when the connection to the composition is not successful (column 2, lines 45-54). Here Ogawa discloses when the connection to the file server or image store is lost or disconnected, the user is notified.

With regard to claim 19, Ogawa discloses the method according to claim 16 wherein said step of creating an imaging composition further comprising the step of adding the link reference of the imaging data stored in the imaging data store to the imaging composition (Figs. 4 and 5). Here the directory is considered to be the image



directory in which each image added to the file server is indexed or referred to with a link or index number.

With regard to claim 20, the discussion of claim 1 applies. The use of a computer program product comprising a computer usable medium having computer readable program is inherent for a process involving the transfer or storage of digital images.

With regard to claim 21, Ogawa discloses a computer program product comprising a computer usable medium having computer readable program codes embodied in the medium that when installed in a scanning device linked to a personal imaging repository with an imaging data store for storing the imaging data and a composition store for storing imaging compositions with links to the imaging data serviced as a single unit, the product causes the scanning device to:

receive scanned imaging data (column 2, lines 30-40);

obtain user information relating to the personal imaging repository (column 2, lines 30-40);

connect with the imaging data store of the personal imaging repository indicated from the user information (column 2, lines 30-40); and,

transfer scanned imaging data to the imaging data store (column 2, lines 30-40).

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,115,739 to Ogawa.

With regard to claim 10, Ogawa discloses the system as defined in claim 1, wherein said item is a smart card. Smart cards are well known in the computer arts to contain user specific information. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use a smart card to store user information. Examiner takes official notice.

### ***Claim Objections***

5. Claims 7, 8, and 12 are objected to because of the following informalities: It is unclear what is met by the phrase "serviced as a single unit." Please clarify this meaning. Appropriate correction is required.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wes Tucker whose telephone number is 703-305-6700. The examiner can normally be reached on 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703)308-6604. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wes Tucker  
3-21-04

  
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